

REDUCING ALCOHOL RELATED COLLISIONS IN YOUR COMMUNITY:
ENFORCEMENT or EDUCATION?

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February 12, 2009

COMMAND COLLEGE CLASS 44

The Command College Futures Study Project is a FUTURES study of a particular emerging issue of relevance to law enforcement. Its purpose is NOT to predict the future; rather, to project a variety of possible scenarios useful for strategic planning in anticipation of the emerging landscape facing policing organizations.

This journal article was created using the futures forecasting process of Command College and its outcomes. Defining the future differs from analyzing the past, because it has not yet happened. In this article, methodologies have been used to discern useful alternatives to enhance the success of planners and leaders in their response to a range of possible future environments.

Managing the future means influencing it—creating, constraining and adapting to emerging trends and events in a way that optimizes the opportunities and minimizes the threats of relevance to the profession.

The views and conclusions expressed in the Command College Futures Project and journal article are those of the author, and are not necessarily those of the CA Commission on Peace Officer Standards and Training (POST).

REDUCING ALCOHOL RELATED COLLISIONS IN YOUR COMMUNITY: ENFORCEMENT or EDUCATION?

If you've been to a fatal DUI collision in your police career, it is difficult to get the image of the injured or dead out of your head. What often comes to mind is the senselessness of the collision and, but for the alcohol involved, one wonders if the collision would ever have occurred. You might conclude that the vast majority of the 16,885 alcohol related vehicle fatalities in the 2005 could have also been avoided (NHTSA, 2006). The problem also poses a question: What, if anything, can be done to prevent this seemingly unnecessary problem? Further, is it our role to do so?

The police do an excellent job of catching people breaking the law, and in particular, arresting DUI offenders. Since DUI driving is a problem that is decades old, the question remains: Are we merely treating the symptom or could police agencies and the justice system do a better job of impacting the drinking culture?

Is Enforcement Enough?

Many police departments do an exceptionally good job of enforcing DUI laws. In Orange County, California one officer arrested a remarkable 325 DUI offenders in one year (2006). At the time it was a record number of arrests for a single officer in Orange County (Clark, 2007). The officer received numerous accolades for the number of arrests, but we will never know how many collisions, injuries or deaths he may have prevented. We can, however, be certain that many people were spared the pain and anguish from the collisions that would have occurred had he not done so. Despite the officer's work, though, law enforcement should evaluate if more could be done to prevent DUI driving.

In a study funded by the National Institute on Alcohol Abuse and Alcoholism, later published in the Journal of the American Medical Association (JAMA), they addressed issues that might reduce drinking and driving (Holder, 2000). The 5-year study was conducted between 1992 and 1996 and involved three intervention communities. The communities were all of similar population size of approximately 100,000 in northern and southern California as well as South Carolina.

The prevention components at each intervention attempted to:

- 1) Mobilize the community to support preventative interventions by formulating community coalitions and by using the media to promote the programs;
- 2) Provide bar, restaurant and retail establishment service and sales training, thereby reducing intoxication as well as drinking and driving;
- 3) Reduce alcohol access to underage people;
- 4) Increase the perceived risk of arrest for DUI driving by implementing checkpoints and passive alcohol screening devices (PAS); and
- 5) Assist communities in developing restrictions and zoning regulations for alcohol access.

The “Interventions” subsequently initiated:

- 1) The use of PAS devices;
- 2) Checkpoints;
- 3) Enforcement of beverage service at the on-sale and off-sale establishments as well as enforcement sting operations; and
- 4) Off-site training programs;

The research concluded that “...a coordinated, comprehensive, community-based intervention can reduce high-risk alcohol consumption and alcohol-related injuries resulting from motor vehicle

crashes and assaults.” (Holder, 2000) While the study demonstrated a reduction in alcohol related collisions, researchers pointed out that the trial had “important limitations.” The study acknowledged the testing was regional and that there may have been a social desirability bias due to self-reported drinking in the general population surveys. The study also concluded that the amount of drinking per occasion decreased per occasion and that people tended to drive less after drinking. (Holder, 2000) These studies indicate there are interventions that the police can employ to reduce drinking and driving and further that the police are in a very good position to be involved and assist in educating the public.

The police will always have a role enforcing DUI laws no matter how effective changing the culture and educating the public becomes. If the police are effective in deploying certain strategies they may have an impact on the problem by changing how the public perceives drinking and driving.

Smoking Cessation – Strategies That May Impact DUI Offenses

In a 2000 essay, Gillian Wood, a 45-year smoker (Cessation.com, 2000) described how she had been a smoker for 45 years and how education had changed the smoking culture because it became widely known that smoking is a health risk. She stated, “I was raised during and post-World War II. Smoking was a social event... It seemed everyone smoked. Now our society is much more health oriented.” Her thoughts reflect the way in which government and society has addressed the issue of smoking and health.

In 1965 federal law mandated cigarette advertising include a message reading, “Smoking cigarettes may be hazardous to your health.” By 1970 congress banned all television advertising of tobacco products. The author argued that it was medical evidence and “political position” that led to the changes in laws and the cultural attitude. The essay’s author quit smoking in April of 2003; Gillian Wood died of lung cancer in January, 2004 (Cessation.com, 2000). While there was debate for years over the health risks of smoking, there’s no debate that drinking and driving is hazardous to the health

of the motoring public. Like smoking, many of the same issues of public perception continue to shape the dialog of the prevention and prosecution of drunk driving.

Attitude and Behavior

Smoking now is seen quite differently than in years past. In the same way, driving drunk is now less accepted; however, it remains a constant in society. What would prevent people from drinking and driving?

According to the Orange County CA Health Care Agency, the perceived risk of arrest is a large deterrent: "Risk Perception: An individual's perception of risk is a critical detriment of risk-taking behavior, serving either to deter or enable the contemplated risky action. Two types of risk perception are involved in weighting the decision whether to drive after drinking: 1) the perceived risk that drinking has impaired one's ability to drive safely, and 2) the perceived risk of being detected and arrested by police. While individual's perceptions are influenced by many factors, primarily personal experience, research has shown that emphasizing these risks can serve to deter a portion of the general drinking public from driving after drinking and thus reduce the staggering overall toll of alcohol-impaired crashes." (Orange County Health Care Agency, 2008) To alter that risk, and affect the frequency of drinking and driving, innovation is one of the best tools to combat DUI driving and changing the culture of drinking drivers. DUI Court is one example.

The DUI court is a program in Orange County originally funded by OTS. It handles second and third time DUI offenders in a way that allows defendants to address their alcohol problem. The incentive to participate includes a lighter court sentence and no jail time if they complete the 12-14 month program. It is an intense program for participants and anyone participating must terminate alcohol consumption when they commence the program or risk a jail sentence. Police agencies may participate in program by attending period graduations. The observation of the graduation can benefit

Officers as they witness the gripping affect of those whom overcame alcoholism. Significantly, many DUI courts have stakeholder meetings in which the police department, probation, court employees, District Attorney, Public Defender, Health Department and other personnel attend. This collaboration is a key element of the program's success, and might be a foundation from which the police can devise related programs and services to alter the equation.

The County's Harbor Court DUI Court has been in operation since October 2004 (Petrucchi & Piper-Deschenes 2006). 499 people entered the program between October 2004 and September 2008; 246 people have successfully completed the program. The program has a 65.4% graduation rate and of those entering the program, 73.9% continue it to completion. Of the 246 people who have graduated from the program there have only been 6 people re-arrested for DUI. (Petrucchi, forthcoming final report, 2009) It is sadly true, though, that there are always an ample number of candidates to participate, indicating that outcome-based programs alone are insufficient to stem the tide of DUI offenders. Changing their perception of the issue is the key.

Changing the attitudes of the drinking and driving culture, much like the smoking culture, can be accomplished. Police agencies should help facilitate that change, and are in a perfect position to do so. Police agencies do a variety of interventions to impact many other forms of crimes such as burglary, rape, and robbery. While police communities can work independent of each other a unified approach to this problem will likely have substantially greater impact. To reduce alcohol related collisions and other alcohol related community issues there must be:

- 1) An analysis of the community problem;
- 2) An effective plan; and ultimately,
- 3) An evaluation of the plans effectiveness

Data suggests alcohol related events such as teen drinking, assaults, alcohol sales and service to minors, are the cause of other troubling community problems such as assaults, injury and fatal traffic collisions (Orange County Health Care, 2008). Since data supports these problems, programs that incorporate collaboration, education and enforcement should be considered to alter both the attitudes of those who might drive drunk as well as their subsequent behaviors. There are a number of programs in existence now that demonstrate there are emerging ways to meet that goal.

Methods to Affect Change

Working with the community is an essential element to education. Communication between bars, restaurants and the police department is an effective method of obtaining compliance. An alcohol awareness program might include integrating the Alcohol Beverage Control Department (ABC) into your program. In California the ABC offer L.E.A.D.S. program (Licensee Education on Alcohol and Drugs www.abc.ca.gov/programs/lead.html) that assist State licensed establishments to educate their personnel on serving practices. Establishing alcohol awareness programs in conjunction with other DUI awareness programs will assist in reducing DUI driving and improve your community relationships with the bars and restaurants.

In the past year the Newport Beach CA Police Department experienced a vehicle versus pedestrian collision and the pedestrian was killed. Friends of the victim told investigators that the victim liked to take walks after drinking. The friends were still at the restaurant when the pedestrian was killed. The Department ultimately sent a letter to the restaurant advising them the victim was drinking in their business just minutes before the collision. A copy of the letter was sent to the Alcohol Beverage Control Department for follow-up. For the bar or restaurant owner receiving such a letter, it is likely the owner will ensure appropriate serving practices are followed in the future. The Newport Beach Police Department is also working with an alcohol distributor and manufacturer to develop

literature for drinking establishments. The tragedy did serve a purpose; it energized a possible solution still in the works, one that established a protocol of education to the alcohol industry to prevent a recurrence of this type of incident. In this time of budgetary woe, it is also important to seek out and secure funding for these efforts. -

Most California police agencies are aware of the Office of Traffic Safety (OTS) grants www.ots.ca.gov/Grants/Apply/GME_2009.asp). Grants are an effective and inexpensive method by which to address alcohol related problems, particularly if your alcohol related collisions are high. A review of California agency statistics as compared to other agencies with similar populations can be seen on the OTS website. (www.ots.ca.gov/Media_and_Research/Rankings/default.asp)

The Newport Beach Police Department was contacted by an alcohol distributor and alcohol manufacturer for the purpose of their alcohol awareness program. The private companies donated approximately \$1500.00 to produce banners. With the cooperation of local bars and restaurants, the banners were hung inside and outside where there is a saturation of alcohol licensees. The message read:

One Taxi, Four people, \$27.65

DUI Bail \$2,500

Don't Drink and Drive

Some police agencies have used banners in their communities indicating they have a zero tolerance for DUI driving. While there is not scientific data to support the effectiveness of the banners, the Department has received feedback from people indicating they have raised their level of consciousness about drinking and driving.

Similarly, in 2007 the Orange County Public Health Agency produced marketing material to impact the frequency of DUI offenses. They used information provided by the Automobile Club

showing the average cost of a first time DUI. They estimated the amount to be about \$13,500. This didn't factor in the lost dignity, embarrassment, time spent in jail, or any loss of employment associated with the arrest. The oversized postcards listed all the factors on the back of the card with the slogan, "Can You Pay the Price...\$13,500?" on the front. The Healthcare Agency distributed thousands of these cards to police agencies that used them at no expense to those that took them. In Newport Beach, the Police hand them out at DUI checkpoints and police community events, such as the Citizens' Police Academy. The Agency used the slogan on the front of other material, including tipping cards for bar patrons and posters. In addition, the logo and slogan were placed on the sides of buses for about six weeks. Studies are still being completed to determine the effectiveness of this campaign but according to the Orange County Health Care Agency the risk of arrest is a critical factor in DUI driving (Orange County Health Care, 2008) and it would stand to reason that the more people who receive material indicating the negative hardships and likelihood of arrest, the better the chance of getting someone to change their course of action.

The Los Angeles County Sheriff's Department assisted the community of Santa Clarita in placing a memorial dedicated to DUI and other preventable driving that caused deaths (www.santa-clarita.com/cityhall/cmo/press/release.asp?ID=427). They called their program "No More, Know More." "No more" meant no more unnecessary deaths. "Know More" meant additional education. The city used a small parcel of land in a park in Santa Clarita. They erected three to four foot tall trees made from concrete. The tree trunks have no branches. Where they appear to be cut off, there is a plaque on top. Each trunk has the name of a young person with their date of birth and date of death. Each person was killed as the result of a traffic collision including street racing, driving too fast or an alcohol related collision. While targeting high school aged children the memorial gives pause to young people who are receiving their new license. A brochure is produced and available at the sight and tells

a brief story about each collision and about the individual's life. The memorial received a great deal of support by the community, particularly from the parents of the deceased children. Funding for the project came from a variety of sources including student fundraising. As mentioned earlier, programs that raise the awareness of the general public reduce the chances of people drinking and driving (Orange County Health Care Agency, 2008).

Another program being used on the east coast is program called, "Safe Rides." This program contracts taxi services on a designated day to drive people to their homes, free of charge, on a specific night. Usually taking place from 10 pm to 3 am, taxi cab drivers are paid hourly wages instead rates based on distance. There are usually designated pick-up points for the patrons. The program must be well organized using reputable taxi services and usually taxi dispatch staff to facilitate the operation. The program can be by any number of sources. There should be controls to ensure the service isn't used as a shuttle service from bar-to-bar. In addition, if fares leave the city the fare must pay a based on distance outside the city limits.

The number of DUIs arrested after instituting programs is not always an indicator of the success of your programs, though it could be. Many factors dictate the number of DUI arrests made, many of which are out of the control of your agency. A better indicator of the effectiveness of your program is the number of alcohol-related traffic collisions, though statistics can paint a skewed picture if careful analysis isn't done. Sustaining programs for a long period of time is the only way to prove their worth and an evaluation of each program should be designed to ensure your resources are being used effectively. Determining how you will measure your programs effectiveness is important and care should be used in how you will evaluate the impact. Based on the demographics and size of your city, you may not have a significant impact in the first year of implementation.

For instance, the Newport Beach Police Department, through an OTS grant hired a DUI Officer. While the DUI arrests in 2008 increased 26%, has there been a decrease in alcohol related collisions? Will the first year of program implementation with great results lead to a better second year once people are aware of the number of arrests? Did other factors cause the results? All of these and others need to be answered to determine the effectiveness of any program. Since the perceived risk of arrest is a large component of DUI driving, advertising the results of the first year arrests will impact the second year, even if arrests are down.

A sustained message will ultimately be the pay off and reduce the number of alcohol related collisions. Identifying the programs that work best in your city and then implementing them is key to reducing alcohol related collision.

Conclusion

When police agencies team up to send a unified message to the public it does its best work. Changing the culture of a drinking and driving public is a formidable task but something that can and should be addressed if law enforcement is going to impact the number of alcohol-related collisions. The police are most effective when they use both enforcement and education to solve problems. Do something in your community to convince people that if they drink and drive in your town it won't be tolerated. Implement a program that convinces people that the "perceived risk of arrest" is alive and well in your community. Work with your local courts and merchants to development effective campaigns in your community.

Since you have an interest in reducing DUI driving in your community, write down something now that might work in your city. Form a group to discuss the idea no matter how simple or complicated. Do something to impact alcohol related collisions in you jurisdiction that is bound to reduce alcohol related injuries and deaths. You may never know who you helped.

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